

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
FABIAN A. MOROCHO CHINCHILIMA,

Plaintiff,

-against-

PETRO PROCHLIAK, EXPEDITED SERVICES
ROADTEX INC. and RYDER TRUCK RENTAL, INC.,

Defendants.

-----X
TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's attorney(s) within twenty days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Brooklyn, New York
June 28, 2022

Yours, etc.



Aleksandr Vakarev, Esq.
LAW OFFICES OF ALEKSANDR VAKAREV
Attorneys for Plaintiff
2566 86TH Street, Suite 1
Brooklyn, New York 11214
(718) 368-0690
Our File No.: 19105

DEFENDANTS' ADDRESSES:

PETRO PROCHLIAK
16 Skytop Gardens
Parlin, NJ 08859

EXPEDITED SERVICES ROADTEX INC.

5824 Snell Drive

Harrisburg, Pa 17109

RYDER TRUCK RENTAL, INC.

11690 NW 105th Street

Miami, FL 33178

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X Index No.: _____
FABIAN A. MOROCHO CHINCHILIMA,

Plaintiff,

-against-

VERIFIED COMPLAINT

PETRO PROCHLIAK, EXPEDITED SERVICES
ROADTEX INC. and RYDER TRUCK RENTAL, INC.,

Defendants.
-----X

Plaintiff, FABIAN A. MOROCHO CHINCHILIMA, by his attorneys, LAW OFFICES OF
ALEKSANDR VAKAREV, complaining of the defendants, respectfully alleges, upon information
and belief:

1. That at all times herein mentioned, plaintiff, FABIAN A. MOROCHO CHINCHILIMA,
was and still is a resident of the County of Kings, City and State of New York.
2. That at all times herein mentioned, defendant, PETRO PROCHLIAK, was, and still is, a
resident of the State of New Jersey.
3. That at all times mentioned herein, defendant, EXPEDITED SERVICES ROADTEX
INC., was and still is a foreign business corporation duly organized and existing under and by virtue
of the laws of a state other than the State of New York.
4. That at all times mentioned herein, defendant, EXPEDITED SERVICES ROADTEX
INC., was and still is a foreign business entity duly organized and existing pursuant to the laws of a
state other than the State of New York.
5. That at all times hereinafter mentioned defendant, EXPEDITED SERVICES ROADTEX
INC., was the owner of the 2016 International motor vehicle bearing Florida State registration
number 2314877.

6. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., was the lessee of the aforesaid motor vehicle bearing Florida State registration number 2314877.
7. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., was the lessor of the aforesaid motor vehicle bearing Florida State registration number 2314877.
8. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., maintained the aforesaid motor vehicle bearing Florida State registration number 2314877.
9. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., managed the aforesaid motor vehicle bearing Florida State registration number 2314877.
10. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., controlled the aforesaid motor vehicle bearing Florida State registration number 2314877.
11. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., repaired the aforesaid motor vehicle bearing Florida State registration number 2314877.
12. Upon information and belief, that at all times and places hereinafter mentioned, defendant, EXPEDITED SERVICES ROADTEX INC., inspected the aforesaid motor vehicle bearing Florida State registration number 2314877.
13. That at all times mentioned herein, defendant, RYDER TRUCK RENTAL, INC., was and still is a foreign business corporation duly organized and existing under and by virtue of the laws of a state other than the State of New York.

14. That at all times mentioned herein, defendant, RYDER TRUCK RENTAL, INC., was and still is a foreign business entity duly organized and existing pursuant to the laws of a state other than the State of New York.
15. That at all times hereinafter mentioned defendant, RYDER TRUCK RENTAL, INC., was the owner of the 2016 International motor vehicle bearing Florida State registration number 2314877.
16. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., was the lessee of the aforesaid motor vehicle bearing Florida State registration number 2314877.
17. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., was the lessor of the aforesaid motor vehicle bearing Florida State registration number 2314877.
18. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., maintained the aforesaid motor vehicle bearing Florida State registration number 2314877.
19. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., managed the aforesaid motor vehicle bearing Florida State registration number 2314877.
20. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., controlled the aforesaid motor vehicle bearing Florida State registration number 2314877.
21. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., repaired the aforesaid motor vehicle bearing Florida State registration number 2314877.

22. Upon information and belief, that at all times and places hereinafter mentioned, defendant, RYDER TRUCK RENTAL, INC., inspected the aforesaid motor vehicle bearing Florida State registration number 2314877.

23. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, was the operator of the International motor vehicle Florida State registration number 2314877.

24. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express permission of defendant, EXPEDITED SERVICES ROADTEX INC.

25. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express consent of defendant, EXPEDITED SERVICES ROADTEX INC.

26. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express knowledge of defendant, EXPEDITED SERVICES ROADTEX INC.

27. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the implied permission of defendant, EXPEDITED SERVICES ROADTEX INC.

28. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the implied consent of defendant, EXPEDITED SERVICES ROADTEX INC.

29. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express permission of defendant, RYDER TRUCK RENTAL, INC.

30. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express consent of defendant, RYDER TRUCK RENTAL, INC.
31. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the express knowledge of defendant, RYDER TRUCK RENTAL, INC.
32. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the implied permission of defendant, RYDER TRUCK RENTAL, INC.
33. That on January 21, 2022, and at all times hereinafter mentioned defendant PETRO PROCHLIAK, operated the aforementioned motor vehicle with the implied consent of defendant, RYDER TRUCK RENTAL, INC.
34. That on January 21, 2022, and at all times hereinafter mentioned defendant, PETRO PROCHLIAK, operated the aforementioned motor vehicle with the implied knowledge of defendant, RYDER TRUCK RENTAL, INC.
35. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, was the lessee of the aforesaid motor vehicle bearing Florida State registration number 2314877.
36. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, was the lessor of the aforesaid motor vehicle bearing Florida State registration number 2314877.
37. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, maintained the aforesaid motor vehicle bearing Florida State registration number 2314877.

38. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, managed the aforesaid motor vehicle bearing Florida State registration number 2314877.

39. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, controlled the aforesaid motor vehicle bearing Florida State registration number 2314877.

40. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, repaired the aforesaid motor vehicle bearing Florida State registration number 2314877.

41. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, inspected the aforesaid motor vehicle bearing Florida State registration number 2314877.

42. That at all times and places hereinafter mentioned, 39th Street, in front of the premises, known as 1229 39th Street, in the County of Kings, City and State of New York, was and still is a public street/ highway in common use of the residents of the State of New York and others.

43. That on January 21, 2022, plaintiff, FABIAN A. MOROCHO CHINCHILIMA, was lawfully and properly operating a motor vehicle at the above-mentioned location.

44. That on January 21, 2022, defendant, PETRO PROCHLIAK, was operating the motor vehicle, owned by defendant, EXPEDITED SERVICES ROADTEX INC, at the aforementioned location.

45. That on January 21, 2022, defendant, PETRO PROCHLIAK, was operating the motor vehicle, owned by defendant, RYDER TRUCK RENTAL, INC., at the aforementioned location.

46. Upon information and belief, that at all times and places hereinafter mentioned, defendant, PETRO PROCHLIAK, was responsible for the proper and prudent operation of the aforesaid motor vehicle.

47. That on January 21, 2022, the subject motor vehicle, owned by defendant, EXPEDITED SERVICES ROADTEX INC and operated by defendant, PETRO PROCHLIAK, struck the motor vehicle, operated by plaintiff, FABIAN A. MOROCHO CHINCHILIMA.

48. That on January 21, 2022, at approximately 9:00 P.M. the subject motor vehicle, owned by defendant, EXPEDITED SERVICES ROADTEX INC and operated by defendant, PETRO PROCHLIAK, came into contact with the motor vehicle, operated by plaintiff, FABIAN A. MOROCHO CHINCHILIMA.

49. That on January 21, 2022, the subject motor vehicle, owned by defendant, RYDER TRUCK RENTAL, INC. and operated by defendant, PETRO PROCHLIAK, struck the motor vehicle, operated by plaintiff, FABIAN A. MOROCHO CHINCHILIMA.

50. That on January 21, 2022, at approximately 9:00 P.M. the subject motor vehicle, owned by defendant, RYDER TRUCK RENTAL, INC. and operated by defendant, PETRO PROCHLIAK, came into contact with the motor vehicle, operated by plaintiff, FABIAN A. MOROCHO CHINCHILIMA.

51. That as a result thereof, the plaintiff, was caused to sustain severe and serious injuries.

52. That the aforesaid occurrence was caused wholly and solely by reason of the negligence of the defendants without any fault or negligence on the part of the plaintiff contributing thereto.

53. That defendants were negligent, careless and reckless in the ownership, operation, management, maintenance, supervision, use and control of the aforesaid vehicle and the defendants were otherwise negligent, careless and reckless under the circumstances then and there prevailing.

54. That as a result of the aforesaid occurrence, the plaintiff, was rendered sick, sore, lame and disabled and has remained so since the said occurrence. The plaintiff, FABIAN A. MOROCHO CHINCHILIMA, continues to suffer mental anguish and great physical pain. He has been compelled to undergo medical aid, treatment and attention and expend money and incur obligations

for physicians' services, medical and hospital expenses for the care and treatment of his injuries; and upon information and belief, he will be compelled to expend additional sums of money and incur further obligations in the future for additional physicians' services, medical and hospital expenses for the further care and treatment of his injuries. Plaintiff, FABIAN A. MOROCHO CHINCHILIMA, has been incapacitated from attending to his usual duties, functions, occupations, vocations and avocations, and in other ways he was damaged, and upon information and belief may be so incapacitated in the future and will suffer pecuniary losses.

55. That by reason of the foregoing, plaintiff, FABIAN A. MOROCHO CHINCHILIMA, sustained a serious injury as defined by New York State Insurance Law Section 5102(d).

56. That by reason of the foregoing, plaintiff, FABIAN A. MOROCHO CHINCHILIMA, sustained serious injuries and economic loss greater than basic economic loss as defined by Section 5104 of the New York State Insurance Law.

57. That plaintiff, FABIAN A. MOROCHO CHINCHILIMA, is not seeking to recover any damages for which plaintiff has been reimbursed by no-fault insurance and/or for which no-fault insurance is obligated to reimburse plaintiff. Plaintiff is seeking only to recover those damages not recoverable through no-fault insurance under the facts and circumstances of this action.

58. The amount of damages sought in this action by plaintiff, FABIAN A. MOROCHO CHINCHILIMA, exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction. The total sum claimed for damages is the sum of TEN MILLION DOLLARS (\$10,000,000.00).

WHEREFORE, plaintiff, FABIAN A. MOROCHO CHINCHILIMA, demands judgment against defendants, PETRO PROCHLIAK, EXPEDITED SERVICES ROADTEX INC. and RYDER TRUCK RENTAL, INC., herein on all causes of action, in a sum exceeding the jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with the costs and disbursements of this action.

Dated: Brooklyn, New York
June 28, 2022

Yours, etc.



Aleksandr Vakarev, Esq.
LAW OFFICES OF ALEKSANDR VAKAREV
Attorneys for Plaintiff
2566 86TH Street, Suite 1
Brooklyn, New York 11214
(718) 368-0690
Our File No.: 19105

INDIVIDUAL VERIFICATION

STATE OF NEW YORK)
COUNTY OF KINGS) ss:

I, FABIAN MOROCHO CHINCHILIMA, being duly sworn, depose and say:

I am ✓ the one of the ✓ Plaintiff(s) Defendant(s) in the within action.

I have read the foregoing ✓ COMPLAINT AMENDED COMPLAINT
BILL OF PARTICULARS SUPPLEMENTAL BILL OF PARTICULARS and know
the contents thereof. The same is true to my own knowledge, except as to the matters therein
stated to be alleged on information and belief, and as to those matters I believe it to be true. The
grounds to my belief as to all matters not stated upon my own knowledge are from information
obtained due to my involvement with this case.

x 

Sworn to before me this

28th day of June, 2022



Notary Public

Anatoly Patrikovsky
Commissioner of Deeds, City of NY
No. 5-1790
Certificated filed in Kings County
Commissioner Expires March 1, 2024

Index No.: _____

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

FABIAN A. MOROCHO CHINCHILIMA,

Plaintiff,

-against -

PETRO PROCHLIAK, EXPEDITED SERVICES
ROADTEX INC. and RYDER TRUCK RENTAL, INC.

Defendants.

SUMMONS AND VERIFIED COMPLAINT

LAW OFFICES OF ALEKSANDR VAKAREV

Attorneys for Plaintiff
2566 86TH Street, Suite 1
Brooklyn, New York 11214
Phone: (718) 368-0690
Fax: (718) 368-0692